The

GREAT CASE.

OF

LIBERTY of CONSCIENCE

Once more

DEBATED & DEFENDED.

With some brief

Observatious on the late Act,

Presented to the KINGS Consideration.

The Author VV: P: j.

For what soever ye would that men should doe unto you, that doe ye unto them, Matth. 7. 12.

render unto Cefar the things that are Cefars, and u sto God the things that are Gods, Mark 12.87.

Printed in the Year 16-

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And though perhaps it may be judged by some (fuch as they are) a difresport in me to present any thing so naked of splending the to the most entinent Person the Kingdom, yet they so far millake me, as well as true respect, that his the very great therdue Late Day Hay I Late Reactions, as well as the great love I owe my-Country, that have necessivated metothis adares, before to love All has made 100 great a progret in it: west knowing it is the common infelicity of Princes and confequently of their people) that they are to fee, hear, and act by Proxy; and fuch Promotoo, who sometimes out of presidice or interest, with Sthe concerns of Conscience in things proper to God are of the highest importance, so to deliberate in acts relative of them, must needs be the greatest prudence; since whoever errs berein, certainly incurs divine displeasure, and at best buys his repentance at so dear a rate, as bon great soever the spoils of nonconformity may be they will be much too inconsiderable to purchase it. sur And 201

And though perhaps it may be judged by some (such as they are) a disrespect in me to present any thing so naked of splendid Titles to the most eminent Person in the Kingdom, yet they so far mistake me, as well as true respect, that tis the very great share I bare that publick Princely Office, and the due lence hav of Thy private obligations, as well as the great love I owe my Countrey, that have necessitated me to this address, before the late Act has made too great a progress in it: well knowing it is the common infelicity of Princes (and consequently of their people) that they are forced to see, hear, and act by Proxy; and such Persons too, who sometimes out of prejudice or interest, ruine others, not less deserving, and in their inclinations more loyal and peaceable then themselves: which, if it shews our seatouste of them, it do's not less express our confidence in Thee. For not to play the Parasite (atrade as much below the plainess of my principle, as the dignity of my cause) me generaily have mide this one interpretation of our suffering, that it bas rather been the effect of ihat advantage the Law gives our peevish persecutors, then for want of any inclination in Thee todeevent

And because we have had the frequent experience of thy Clemency, and that with no ill success to publick affairs, we are the more incouraged to sollicite the continuation of it, in a time, when nothing on earth besides the interposal of thy Authority, can disappoint the greedy designs of some to ruine us, if not them to o

In short there be three things which with all due

respect we crave, dad watch of and be and

First, thy sedate consideration of our ensuing reasons and testimonies against imposition, restraint and persecution, with those brief ob-

servations upon the late Act, and direct

Secondly, to deliberate whether it be conscience or interest that will instigate any to persecute us, and which of them tis that it can soberly be thought to As us in a way of separation, since so much trouble attends us for it.

Thirdly, that it would please thee to confider who and what we are, no Plotters, no Dis-

turbers, nor yet deboift or inexemplary Perions, although we fear the ill will of some have put

them upon such injust remonstrances.

But a people whose tender consciences do not more oblige them to a dissent from the present establishments, then they strongly persuade them to an hearty compliance with all civil Laws for the external good and benefit of our countrey; whilest we have great cause to suspect the Fomenters of these severities against us, have as little regard for the one as the other; and how should they that have so very much for themselves.

To conclude, if thou chusest rather to please the Al. mighty then some one angry Party of men, & to correspond with the meekness of the Christian Religion to own the authority of the Scriptures, preserve natural Affection, pursue the dictais of right Reason, advance the interest of Government, in the Iustice, Prudence Gelicity of it Glast of all to embrace the authorities of the greatest wifest & best men in their times, then to gratify the bent, envy and avarice of our adestell on our owned whom yer faries persaries: suffer us not to be prey'd upon, nor our estates to be led in triumph by every sturdy Begger & malicious Informer, as their Trophies and our Forseits, for conscience sake, but rather discountenance such proceedings, Fincourage virtue in all; which, as it will be truly Noble, Christian and Prudent, so will it indubitably render Thee blest of God, and beloved of vertuous men; an bappiness to be desir'd by the greatest Prince, I which is very heartily wish'd Thine, by one who will be ready and diligent to obey thee in all sust commands,

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Chap. 1.

Hat Gods prerogative is invaded by Imposition, Restraint, and Persecution: (1) they robbe God of his Right of Creation: (2) they suppose intallibility in man, contrary to Protestant-principles: (3) Man attributes all to himself, and takes Gods share and his own too: (4) it deseats the work of his grace: (5) they assume the judgment Seat.

They overturn the Christian Religion, (1) in the nature of it, which is meckness, (2) in the practice of it, which is suffering, (3) in the promotion of it, since all further discoveries are prohibited:

(4) in the rewards of it, which are eternal.

C'bap. 3.

They oppose the plainest testimonies of Divine Writ that can be, which condemn all force upon conscience.

Chap. 4.

They are enemies to the priviledge of nature, (1) as rendring some more, and others less then Men, (2) as subverting the universal Principle of good that is Gods gift to men: (3) as destroying all natural affection. Next they are enemies to the noble principle of Reason, as appears in many great instances.

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Chap. 6.

They reflect upon the sense and practise of the wisest, greatest and best States, and Persons of ancient and modern times: as of the Iews. Romans, Egyptians, Germans, French, Hollanders, nay Turkes and Persons too. And Cato, Livy, Tacitus, Instin Martyr, Tertuilian, Iovianus, Chaucer, Dominicus Soto, Malvetzy Grotius, Sir Walter Raleigh, Dostor and Student. French and Dutch Protestants in England: Anameless but great Person, Dr. Hamond, Dr. Tayler, King Iames and King Charles the First:

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CHAP. I.

That Imposition, Restraint, and Persecution for Conscience sake, highly invade divine Prerogative, and divest the Almighty of a right due to none beside himself, and that in sive eminent particulars.

debated and defended (however distrissationally to such as have so little conscience as to persequiew by a late Ast for persecution, that we all hop'd the wisdom of our Rulers had long since laid assist, as what was fitter to be passed into an Ast of Oblivion. The Kingadomes are allarum'd at it, and thousands greatly at a stand, wondring what should be the meaning of such hasty resolutions, that seem as fatal as they were unexpected: Some ask what Wrong they have done, others what Peace they have broken, and all what Plots they have form d to prejudice the present Government, or occasions given to hatch new jealouses of them and their proceedings, being not conscious to them-selves of guilty in any such respect.

For my own part, I publickly confess my self to be a very bearty Dissenter from the establish'd worship of these Natio

ons, as believing Propessans to have much degenerated from their first principles, and as owning the poor despiced Australia in life and docerine to have espous dehe cause of God, and to be the undoubted Followers of less Christ, in his most holy, straight and narrow Way that leads to the cternal rest. In all which I know no Treason, nor any principle that would urge me to a thought injurious to the civil peace. If any be desective in this particular, 'tis equal, both Individuals and whole Societies should answer for their own desaults, but we are clear.

However, all conclude that Vnion very ominous and u z-bappy, which makes the first discovery of it self, by a tohn Bapti s head in a charger, They mean that Feast some are design'd to make upon the liberties and properties of Free born English men, since to have the intale of those undoubted hereditary Rights cut off for matters purely relative of another world) is a severe beheading in the Law; which must be obvious to all, but such as measure the justice of things onely by that proportion they bear with their own Interest.

A sort of men, that seek themselves, though at the apparent loss of whole Societies, like to that barbarous Fancy of old, which had rather that Rome should burn, then It be without the satisfaction of a bone fire: And lad it is, when men have so far stupissed their understandings with the strong doses of their private interest, as to become insensible of the Publicks. Certainly such an over-sondness for self, or that strong inclination, to raise themselves in the ruine of what does not so much oppose them, as that they will believe so, because they would be persecuting, is a malignant enemy to that Tranquillity, which all disensing Partyes seem to believe, would be the consequence of a Tolerantion.

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In short we say, there can be but two ends in Persecution, the one to satisfy (which none can ever do) the insatiable appetites of a decimating cleargy, whose best arguments are Fines and imprisonments, and the other, as thinking therein they do God good Service; but tis so hateful a thing upon any account, that shall make it appear by this ensuing discourse, to be a declar'd enemy to God, Religion, and the good of humane society.

The whole will be small, since it is an Epitamy of no larger a tract then ten sheets; yet divides it self into the same particulars, every of which we shall defend against imposition, restraint, and Persecution, though not with that scope of reason (nor consequently pleasure to the Readers) being by other contingent disappointments limited to a nation shift.

First, then, we say that Imposition, Restraint, and Persecution, for matters relating to Conscience, directly invade divine prerogative, and divests the Almighty of a due, proper to none besides bimself. And this we prove by these five particulars.

i. First, if we do allow the honor of our Creation, as due to God only, and that no other besides himself endow's us with those excellent gifts of Understanding, Reason, Judyment, and Faith, and consequently that he only is the object as well, as author; both of our Faith, worship, and Service, then whoever shall interpose their Authority to enact Faith, and worship, in a way that seems not to us congruous with what he has discover'd to us, to be Faith, and worship, (whose alone property it is to do it), or to restrain us from what we are persuaded is our indispensible duty, they evidently usurp this Authority, se invaed his incommunicable right of Government over Conseinness, and Faith is the gift of God, saies the divine with

claim to that infallibility, which Protestants have been hitherton fo jealous of owning, that to avoyd the Papists, they have denied it to all, but God himself.

Either they have for fook their old plea, or if not, we defire

to know when, and where, men were invested with that divine excelency, and that Imposition, Restraint, and Persecution, were deem'd by God the struits of his spirit; However, that it self were not sufficient; for unless it appears as well to us, that they have it, as to them who have it, we cannot believe it upon any convinceing evidence; but by tradition onely; an Anti-Protessant may of believing.

Just claim and priviledge of his Creator, whose thoughts are not as mens thoughts, but has reserved to himself, that Empire from all the Casars on Earth, for it men in reference to souls, and bodies; things appertaining to this and to ther world, shall be subject to their sellow Creatures, what sollows; but that Casar (however he got it) has all Gods share, and his own too; and being Lord of both, both are Casars and nothing Gods.

4. Fourthly it defeats the Work of his grace, and the invisible operation of his eternal spirit, which can alone be get Eaith, and is on by to be obey'd in and about Religion, of Worship, and attributes, mens conformity to outward force and corporal punishments. A Faith subject to as many revolutions as the powers that enact it.

great tribural unto themselves; for to whomsoever men are imposedly or restrictively subject and accountable in matters of Faith worthip & Conscience; in them alone must the power of sudgement reside; but it is equally true that Godshall judge all by Jesus Christ, and that no man is so accountable to his sellow Creatures as to be imposed upon, restrained, or perfecuted for any matter of Conscience whatever.

Thus and in many more particulars are men accustom'd to entrench upon divine Property, to gratific particular Interests in the world (and at best) through a misguided apprehension, to imagin they do God good service, that where they cannot give Faith, they will use force, which kind of Sacrifice is nothing less unreasonable, then the other is abominable: God will not give his honor to another and to him only that searches the

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heart and tries the reins, it is our duty to ascribe the gifts of underflanding and faith without ubich none can please God.

CHAP. II.

The next great evil which attends externall force in matters of faith and worship, is no less then the overthrowe of the whole Christian Religion, and this we will briefly evidence in these four particulars. I. First that there can be nothing more remote from the nature 2. Secondly the practice, thirdly the pro-

motion 4. Fourthly the reward of it.

the dark suggestions of ancient and modern superstious traditions, to carry with it a most self evidenceing verity, which ever was sufficient to proselite believers, without the weak auxvilaries of external power; The son of God, and great example of the world, was so far from calling his Fathers omnipotency in legions of Angels to his defence, that he at once repeal'd all Ass of force and defin'd unto us the nature of his Religion in this one great saying of his, My Kingdom is not of this world. It was spirituall, not carnall, accompanied with weapons, as heavenly as its own nature, and design'd for the good and salvation of the soul, and not the injury and destruction of the body: no Goals, Fines, Exiles &c: but sound reason, cleer truth, & a Strist life. In short, the Christian religion intreats all, but compells none.

2. Secondly, that Restraint and persecution overturns the pra-Bise of it; I need go no surther then the allow'd Martyrologies of the times, of which the Scriptures claim a share; begin with Abei go down to Moses, so to the Prophets, and then to the meek ex ample of Jesus Christ. How patiently devoted was he, to undergo the contradictions of men? and so far from persecuting any that he would not so much as revise his persesutors. But pray'd for them; thus liv'd his Apostles and the true Christians, of the first three hudered years: Nor are the samous Stories of our first Reformers silent in the matter; witness the Christian practises of the waldenses, Lollards, Husties, Lutherans, Zuinglians and our noble Martyrs, who as became the true followers of Jesus Christ, enacted and confirm'd their Religion, with their own blood and not with the blood of their opposers.

Thirdly Restraint and persecution obstruct the promotion of the Christian Religion, for if such as restrain, consess themselves miserable sinners and altogether imperses, it either sollowes, that they never desire to better or that they should incourage such as may capable of further informing and reforming them; they condemn the Papists for encoffening the Scriptures and their worship in an unknown tongue, & yet are guilty themselves of the same kind of sact.

4. Fourthly, they prevent many of Eternal rewards, for where any are religious for fear, and that of man, 'tis flavish; and the recompense of such religion is condemnation, not peace: besides, 'tis man that is serv'd, who having no power but what is temporary, his reward must needs be so too; he that imposes a duty or restrains from one, must reward, but because no man can reward for such duties; no man can or ought to impose them, or restrain from them. So that we conclude imposition, restraint, and persecution, are destructive of the Christian religion, in the nature, practise, promotion and rewards of it, which are eternall.

CHAP. III.

We further say, that imposition restraint and persecution are repugnant to the plaintestimonies and precepts of the Scriptures.

The inspiration of the Almighty gives understanding . 1 lob. 32, 8.

If no man can believe before he understands, and no man can understand before he is inspir'd of God, then are the impositions of men excluded as unreasonable, and their persecutions for none obedience as inhuman.

Wounto them that take counfell but not of me. 2. Ifa: 30. 1.

(13)

wo unto them that make a man an offender for a word and lay a snare for him that reproves in the gate & turns aside the just for a thing of naught 3. Is 29. 15.21.

Let the wheat and the Tares grow together untill the time of the

barvest or end of the world. 4. Matt. 13.27. 28.39.

And Jesus call a them unto him, and said ye know that the princes of the Gentiles exercise dominion over them, and they that are greatest exercise authority upon them but it shall not be so among st you. 5 Matt: 20.25. 26.

And Jesus answering said unto them, Render unto Cafar the things that are Cesars and unto God the thing that are Gods. 6 Luk: 20.

21.22.23 24.25.

when his Disciples saw this (that there were non-con-formists then as well as now) they said wilt thou that we command fire to come down from heaven and consume them as Elisha did; But he turned and rebuk'd them and said ye know not what spirit ye are of; for the Son of manis not come to destroy mens lives but to save them. 7 Luk. 9. 54.55.56.

Howbeit, when the Spirit of truth is come be Shall lead you into all

truth. 8 10. 16.8. 13.

But now the anointing which ye have received of him abides in you and you need not that any man teach you (much less impose upon any or restrain them from what any are perswaded it leads to) but as the same anointing teaches you of all things and is truth and is no lye. 9 Io. 1. cap 2. 9. 27.

Dearly beloved avenge not your selves but rather give place unto wrath (much less should any be wrath that are call'd Christians where no occasion is given) therefore if thyne enemy hunger feed him, and if he thirst, give him Drink recompence no man evill

for evill. 10 Rom. 12. 19. 20. 31.

For though we walk in the flesh (that is the body or visible world) we do not war after the flesh, for the weapons of our war-fare are not carnal. 11 2. Cor. 3.4.5. (but Fines and Imprisonments are, and such use not the Apostles weapons that emyloy those) for a Bishop 1. Tim, 3.23. (sais Paul):

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must be of a good behaviour apt to teach, no striker, but be gentle unto all men, patient, in meekness, instructing (not Persecuting) those that oppose themselves, if God peradventure will give them repentance to the acknowledgment of the truth. 2 Tim. 2. 24. 25.

Lastly we shall subjoine one passage more, and then no more of this particular: Whatsoever ye would that men sould do unto you, do ye even so unto them. 12 Matt. 7. 12. Luk. 6. 31.

Now upon the whole we seriously ask, whether any should be imposed upon or restrained in matters of faith and worship? Whether such practise become the Gospell or are suitable to Christs meek precepts and suffering doctrine? and lastly, whether those who are

perein quilty do to us as they would be done unto by others ?

What if any were once severe to you; many are unconcern'd in that, who are yet lyable to the Lash, as if they were
not. But if you once thought, the imposition of a Directory unreasonable and a restraint from your way of worship unchristian, can
you believe that Liberty of Conscience is chang'd, because the
parties in points of power are? or that the same reasons do
not yet remain in vindication of an Indulgence for others,
that were once Emploi'd by you for your selves? Surely
such conjectures would argue gross weakness.

Soriptures we know not; but certain we are, such pradise as little of them as may be; who with so much delight can resect them, and think it no small accession to the discovery of their Loyalty, to lead us and our properties in triumph after them.

CHAP. IIII.

We surther say, that Imposition, Restraint, and Persecution, are also destructive of the great priviledge of Nature, and principle of reason of nature in three instances.

I. First, If God Almighry has made of one blood all Natitions, as himself has declar'd, & that he has given them both sences sences corporall and intellectuall, to discern things and their differences, so as to affert or deny from evidences and reasons proper to each, then where one enacts the belief & disbelief of any thing upon the rest, or restrains any from the exercise of their saith to them indispensible, such exalts himself beyond his bounds, enslaves his fellow Creatures and so invades their right

of Liberty and jo perverts , the whole order of nature.

2. Secondly Mankind is hereby rob'd of the use and benessed that insting of a diety which is so natural to him, that
he can be no more without it, and be, then he can be without the most effentiall part of himself; For to what serves
that divine principle in the vniversality of mankind, if men be
restricted by the prescriptions of some individuals. But if
the excellent nature of it, inclines men to God, nor man; if the
power of accusing and excusing is committed to it; if the
troubled thoughts and sad restections of sortorne and dying
men, make their tendency that a way only; (as being hopeless of all other relief and succour from any external power
or command) what shall we say? but that such as invalid
the authority of this heavenly instinct, (as Imposition and Restraint evidently do) destroy nature, or that priviledge which men
are born with, and to

3. All naturall affection is destroy'd; for those who have so little tenderness, as to persecute men that cannot for Conscience sake yelld them compliance, manisestly act injuriously to their sellow Creatures, and consequently are enemies to Nature, for nature being one in all, such as ruin those who are equally intitled with themselves to nature, ruin it in them, as in liberty property &c. of so bring the state of nature to the state of war, that great Leviathan of the times as ignorantly as boldly dos affert.

2. But secondly we also prove them destructive of the noble principle of Reason, and that in these ten perticulers.

the truth and justifiableness of their adions in either of this, their

own discourses and confessions are pregnant instances, where they tell us, that they do not pretend to be infallible, only they bumbly conceive tis thus or it is not. Since then they are uncercain and fallible, how can they impose upon, or restrain oshers whom they are fo far from affuring, as they are not able to do so much for themselves; what is this but to impose an

und ertain faith , upon certain penalties ?

3. As he that acts doubtfully is damn'd, fo faith in all acts of Religion is necessary: now in order to believe, we must first will: to will, we must first judge; to judge any thing, we must first understand, if then we cannot be said unto underftand any thing, against our under flanding, no more can we judge, will and believe against out under standing, and if the doubter be damn'd, what must he be that conform'd, dire-City against his judgment and belief: and they likewise that require it from him; In short, that man cannot be faid to have any Religion that takes it by another mans choice, not his own,

Where men are limitted in matters of Religion, there the rewards which are entail'd on the free acts of men, are quite overchrown, and fuch as superceed that grand Charter of Liberty of Conscience, frustrate all hopes of recompence, by rendring the actions of men unavoidable: But those think perhaps, they do not destroy all freedom because they take so much of

their own.

Fifthly, they subvert all true Religion, for where men believe not because it is true, but because they are required to do fo, there they will unbelieve, not because 'tis false, but so commanded by their Superiors whose Authority their Interest and Security obleige them rather to obey then dispute.

.6. Sixthly, they delude or rather compell people out of their eternall rewards, for where men are commanded to act in reference to Religion, and can neither be secur'd their rewards, nor yet sav'd harmless from punishments, their so acting and believing dispriviledges them forever of that recompence

compence which is provided for the faithfull.

Seventhly, men have their Liberty and choice inexternal matters, they are not compelled to marry this perfon, to converse with that, to buy here to ear there nor to seep youder; yet if men had power to impose or refrain in any thing one would think it faould be in fuch exteriour marrers; but that this Liberty should be unquestion'd, and that of the minde destroy'd; iffues here, that it does not unbruitt us, but unmans us; for take away understanding Reason Judgment and Faith and like Nebuchadnezar let us go graez with the beafts of the Field.

8. Eightly and laftly, that which most of all blackens the bufiness is PERSECUTION, for though it is very unreasonable to require Faith where men cannot choose but doubt, yet after all to punish them for disobedience, tis cruelty in the abftract; for we demand, shall men suffer for not doing what they cannot do? Must they be perfecuted here if they do not go against their Conscience, and punished hereaster if they do ? But neither is this all, for that part that is yet most unreasonable, and that gives the clearest fight of Persecution, is still behind, namely the monstrous Arguments they have to con-Vince an Heretick with: Not those of old, as spirituall as the Christian religion, which were to admonifo, warn, and finally to rejett, but such as were emploi'd by the persecuting Jews and beathens against the great example of the world, & such as follow'd him, and by the inhuman Papifts against our first Reformers, as clubbs, Staves, Stocks, pillories, prifons, dungeons, exiles Ge. in a word Ruin to whole Families as if it were not so much their design to convince the foul as to destroy the body.

To conclude, there must be an adequation and resemblance betwire all ends, and the means to them, now in this cafe there can be none imaginable : the end is the conformity of our judgments and understandings to the ads of fuch as require it; the means are fines & imprisonments (and doubtless knocks to boot)

Now what proportion or affimulation these bear let the

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sober judge: the understanding can never be convinc'd, ner properly submit but by such arguments, as are rational per-(wastve and suitable to its own nature: fornthing that can resolve its doubres; Answer its objections, enervate its propositions but to imagin those barbarous New gate infiruments of clubbs, fines, prisons &c. with that whole troop of externall and dumb materialls of face [bould be fit arguments to convince the understanding [catter its scruples, and finally convert it to their Religion. is altogether irrationall, cruel and impossible. Force may make an Hipocrite; 'iis faith grounded upon knowledge and confent that makes a Christian. And to conclude, as we can never betray the honour of our conformity only due to truth by a base and timorous hypocrific to any externall violence under heaven, fo must we needs fay, unreasonable are those imposers who fecure 'not the impos'd or restrain'd from what may occur to them upon their'eccount, and most inbuman are those persecutors that punish men for not oleging them though to their utter ruin.

CHAP. V.

E next urge, that force in matters relating to Conscience carry a plain contradiction to Government in the nature, execution and end of it.

By Government we understand, an external lorder of Justice; or the right and prudent disciplining of any society by just Laws.

either in the relaxation , or execution of them.

1. First, it carries a contradiction to Government in the

nature of it which is Justice, and that in three respects.

1. It is the first Lesson that great Synterisis, so much renowned by Philosophers and Civilians learns markind, to do as one would be don to, since he that gives what he would not take, or takes what he would not give, only shews care for himself but neither kindness nor justice for another.

2. Secondly, the just nature of Government his in a fair and e-quall retribution, but what can be more unequall, then that

men should be rated more then their proportion, to answer the necessities of Government & yet that they should not only receive no protection from it, but by it be diffeiz'd of their dear liberty and properties; we say to be compell'd to pay that power, that exerts it felf to ruin those that pay it, or that any should be requir'd to enrich those that ruin them, is hard and unequall, and therefore contrary to the just nature of Government. If me must be contributaries to the maintenance of

it, we are intituled a protection from it.

3. Thirdly, It is the Justice of Government to proportion penalties to the crime committed, Now granting our differe to be a fault, yet the infliction of a corporall or eternall punishment for a meer mentall errour (and that not voluntary too) is unreasonable and the inadequate as well as against particular directions of the Scriptures. For as corporall pennalties cannot convince the understanding, So neither can they be commensurate punishments, sor faults purely intellectuall; and for the Government of this world to intermeddle with what belongs to the government of another, and which can have no ill aspect or influence upon it, shews more of invafion then Right and Justice.

2. Secondly, it carries a contradiction to government in the

execution of it, which is prudence and that in thefe instances.

The state of the case is this, that there is no Republick fo great no Empire, so vast but the Laws of them are reasolveable into these two series, or heads; of Laws fundamentall which ore indispensible and immuatable: and Laws superficiall which are temporary and alterable; and as it is justice and prudence to be punctuall in the execution of the former, fo by cercumstances it may be neither to execute the latter, they being fuited to be present conveniency and emergency of state; as the prohibiion of Cattle out of Ireland, was judg'd of advantage to the Farmers of England, yet a fammin would make it the good of the whole, that the Law should be broke, or at least the execution of it suspended; that the Law of restraint in point

of Conscience is of this number: we may further manifelt, and the imprudence of thinking otherwise. For, First, if the saying were as true as tis false; No Bishop no King (which admitts of various readings, as no decimating Clergy or no per-(ecution no King,) we should be as silent, as some would have us: but the confidence of their affertion and the impollicy of such as believe it, make us to fay, that a greater injury cannot be done to the present Government. For if such Laws and establishments are fundamentall, they are as immutable as mankind it self, but that they are as alterable as the conjectures and opinions of Governours have been, is evident; since the same fundamentall indispensible Laws and pollicy of these Kingdoms have still remain'd through variety of opposite Ruling opinions and judgments, and disjoynt from them all. Therefore to admit such a fixation to temporary Laws must needs be highly imprudent and destructive of the essentiall parts of the Government of these Counties.

2. Secondly, that since there has been a time of connivance & that with no ill success to publique affairs, it cannot be prudence to discontinue it unless it was imprudence before

to give it, and fuch little deferve it that think fo.

3. Thirdly, Dissenters not being conscious to themselves of any just sorfeiture of that savour are as well serv'd in their resentments of this alteration, as the contrary did ob-

lige them to very gratefull acknowledgments.

Fourthly, this must be done to gratifie all, or the greatest part or but some sew only; it is a demonstration all are not pleas'd with it; that the greatest number is not, the empty publique auditories will speak in short, how should either do, when six parties are sacrifis'd, to the seventh; that this cannot be prudence, common maximes and observations prove.

5. Fifthly, It strikes fatally at Protestant sincerity, for will the Papists say, did Protestants exclaime against us, for persecutors and are they now the men themselvs. Was it an instance of

meakness in our Religion and is t demonstration in theirs bave they transub stantiated it from antichristian in themes selves? let persecutors answer to the base and at all and to

6. Sixthly, it is not an example but an incemive to the Rome mists to perfecute the reform d Religion abroad, for when they fee their actions (once void of all excuse) now detended by the example of Protestants, that once acous d them (but now them) selves) doubtless they will revive their crucky in move and as

retreat from Rome, for if men must be restrained upon present ded prudentiall considerations, from the exercise of their considerations, from the fame in France, Holland, Grant many, Constantinople &cc. where matters of Superiors. Such doctrine would have prevented our Anucliors reverset; and we wish it be not the beginning of a back march for its shrewdly to be suspected, where Religion is suited to the Government, and Conscience to it's conveniency.

8. Eightly, Vice is incourag'd, for if licentious persons, see men of vertue molested for tritles in opinion, that are otherwise most serviceable to the Common-wealth, they may and will inferr it is better for them to be as they are, since nor to be demure as they call it, is half way to that kind of accom-

plishment which procures preserment.

ninthly, such persons as are so poor spiritted as to truckle under such restraints, what conquest is there over them that before thy were conscientious men and now Hipo-crits; who so forward to be aveng'd of them that brought this guilt upon them as they themselves? and how can the imposers be secure of their friendship, whom they have taught to change with the times?

Countrey, that the execution of them will be the affor droine of it in the Revenues, and confequently in the power of it for

where there is a decay of families, there will be of trade; for of wealth, in the end of strength and power, and if both kinds of relief fail; men the prop of Republiques, moneys the stay of Mo-varchies, this as requiring mercenaries that as having freemen (fanewell the Interest of England: tis true the Priests gett) through that but for a time) but the King and People loose; as the event will show.

rates to obleige their people, but what comes shorter of it then persecution? what's dearer to them then the Liberty of their Deace consists in the enjoyment of it. And he that by compliance has lost it carries his penalty about with him, and is his own prison. Surely such practises must render the Government uneasse, and begett a great disrespect to the govern-

Quasin the hearts of the people.

part, shall be this, that atterall their paines and good will to stretch men to their measure, they never will be able to accomplish their end; and it he be an unwise, man that provides means where he designs, no end, how neer is he kin to him that proposes an end inobtainable. Experience has told us (a how investive it has made the imposed (2) What distractions have insued such attempts (3) What reproach has followed to the Christian Religion when the protessors of it have used a coercive power upon Conscience. And lastly that sorce never yet made either a good Christian or a good Subject.

against, are proved so destructive of the justice and prudence of government, we ought the less to wonder that they should hold the same malignity against the end of it, which is selicity, since the wonder would be to find it otherwise, and this.

is evident from these three brief considerations.

L. First Peace, (the end of warr and Government and Its

great happiness too) would be broken by the frequent tumulsuary disturbances that will ensue the disquieting our meetings & the estreeting the fines upon our Goods & Estates: and what these things may issue in it, concernes the civil Magistrate to consider.

2. Secondly Plenty (an other great end of Government) will be converted into poverty by the distruction of so many thousand samilies as refuse compliance and conformity.

3. Thirdly Unity (not the least but greatest end of Go-vernment is beast) for by seeking an unity of opinion (by the waies intended) the unity requisit to uphold us as a civil Society will be quite destroy'd. And such as relinquish that to get the other, (besides that they are unwise), will infallibly loose both in the end.

In short we say, that 'tis unreasonable we should not be entertain'd as men because some think we are not as GoodChristians as they pretend to wish us, or that we should be deprived of our Liberties and properties who neverbroke the Laws that gave them to us: what can be harder then to take that from us by a Law which the great indulgence and solitude of our ancestors tooke so much pains to entale upon us by Law: An: 18. Edw. 3. stat. 3. also Stat. 20. Edw. 3.

1. again petition of Right An: 3. Car, and more fully in Magna Charta surther peruse 37. Edw. 5. cap. 8. 28. 42. Edw. 3. cap. 3. 28. Hen. cap. 7.

And we are perswaded that no temporary subsequentiall Law whatever to our sundamentall Rights (as this of force on Conscience is) can invalid so essentiall a part of the Government as Liberty & Property; Nor that it's in the power of any on earth, to deprive us of them, till we have sirst done it our selves by such enormious sacts as those very Laws prohibit and make our sorieiture of a benefit we should receive by

them,

To this we shall add several Authorities and Testimonies for surther confirmation of our sense of the matter, and to let imposers

imposers see that we are not the only persons who have impleaded Persecution and justified Liberty of Conscience as Christian and rational.

CHAP. VI

A Brief colection of the sense of the greatest wisch and learnedst Common-wealths, Kingdoms, and particular persons of their times concerning sorce upon Conscience.

1. First, though Jews above all people had the most to say for imposition or restraint within their own Dominions, having their Religion instituted by so many signall proofs of a divine original and institution, it being deliver'd to them by the hand of God himself, yet such was their indulgence to dissenters that if they held the Noathical principles tending to the acknowledgment of one God and a just life, they had the free exercise of their distinct words or waies of worship which were numerous: Of this theirown Rabbies are witnesses, and Grotius out of them.

2. Secondly, the Romans themselves as strict as they were not, only had 30000 Godds (if Varro may be credited) but almost every family of any note had its distinct Sacra or pe-

culiar way of worthip.

Thirdly, it was the fense of that (then) in Comparable.

Cato in Salust that among other things which ruin any Government, want of freedom of speech or mens being obleiged to humor times, is a great one, which we find made good by the

Flowrentine republick as Guicceardine telates.

4. Fourthly, Livy tels us, it was a wonder that Hannibals Army consisting of divers Nations, divers humours, differing habits, contrary Religious, Various Languages, should live 13. years from their own Country under his Command without so much as once mutining either against their General or among themselves, But what Livy relates for a wonder that ingenious Marques Virgilio Malvetze

Mulvetzy gives the Reason of namely that the difference of their Opinions, Tongues and Customs, was the Reason both of their preservation and Conquest, For said he, twas impossible so many contrary spirits should Combine, and if any should have done ittwas in the Generalls power to make the greater party by his equall hand, they owing him more reverence then they did affection to one another: this saies he, some impute to Hanniball, but how great soever he was, I give it to the Variety of humors in the Army. For (Adds he) Romes Army was ever less given to Matining when joined with the provinciall Auxiliaries, then intirely Roman; thus much, and more in his publique discourses upon Cornelius Taritas.

5. Fifthly, the same stately Tacitus tells us in the Case of Cremtius, that it had been the interest of Tiberius not to have punished him in as much as curiosity is begott by restriction of Liberty to write or speake, which never mist of proselites.

6. Sixthly, Iust. Martin. I will forbear to quote in leffe then this two whole apologys dedicated to Adrian and Ami-

nius Pius as I take it---

7. Seventhly, Tertullian that Learned and judicious Appollogifs plainly tells us that tis not the property of Religion to Compell and perfecute for Religion, the should be accepted for her self not for force; that-being a poor and beggerly one, that-has no better Argument-to Convince, and a manifest evi-

dence of her Supersticion and falshood;

8. Eightly, of this we take the nine months Raigne of the Enperor Iovianus to be an excellent demonstration, whose great-wisdom & Admirable prudence in granting tolleration (expressly saying he would have none molested in the Excercise of their Religious worship) Calm'd the impetuous stormes of dissention betwixt the Homousians and Arrians, and reduc'd the whole Empire before agitated with all kinds of Commotions during the Raign of Constantine Constantine, and Iulian, to a wonderfull security & peace, as Socrates Scholastical assistances.

E

Ninthly, that little Kingdom of Egypt had no less then forty thousand persons retir d to their private & seperate ways of worship, as Eusebius out of Philo Iudaus & Iosephus relates. 10. Tenthly, And here let me bring in honest Chaucer, whose matter (and not-- his Poetry) heartely affects me:

twas in a time when Priests were as rich, and losty as they are

He time was once, and may return again, (for oft may happen that bath been beform) When Shepheards had none Inheritance ne of Land , nor fee in sufferance, But what might arise of the bare Sheep. (were it more or less) which they did keep. Well ywis was it with shepheards tho: nought baving, nought fear'd they to forgo. For PAN bemfelf was their. Inheritance, and little them ferv'd for their maintenance, The Shepheards God so well them Guided, that of nought were they unprovided; Butter enough , Hong, Milk, and Whay, and their Flock fleeces them to array. But trad of time and long Profperity, (that nurse of vice , this of infolency,) Lulled the Shepheards in such security, that not content with Loyall abey fance, Some-gan to gape for greedy governance, and match themfelves with mighty Potentates, Lovers of Lord bips and troublers of States tho gan hepheards fraines to look aloft, And leave to live bard, and learn to lig foft, though under colour of Shepheards some while, There crept in Wolves full of fraud and quile , that often devour'd their own beep, And often the Shepheard that did them keep, this That now will be quit with bale, nor borrow.

Champions for Liberty of Conscience, as Wickliss in his Remon-Arance to the Parliament. The Albigenses to Leuis the 11 and 12 of France, Luther to the severall Dyets Under Fredrick and Charles the fifth; Calvin to Francis the first, and many of our English Martyrs as the poor Plowmans samous Complaint in Foxes Martyralogy &c.

The present affairs of Germany, Plainly tell us that eleration is the preservation of their states; the contrary

having formerly almost quite, wasted them.

13. The same in France: who can be so ignorant of their Story; as not to know that Henry the fourth, his timely Indulgance, and the discreet Tolleration of Richlian and Mararein saved that Kingdom from being ruin'd both by the Spaniards; and one another.

14. Holland, then which, what place is there so improved in Wealth, Trade and power, chiefly owes it to her Indulgance

in mattres of Faith and Wor bip.

what variety of opinions, yet what Unity and Concord is there?

we meane In matters of a Civill Importance.

16. It was the opinion of that great Master of the sentences, Dominicus Sato, that every man had A naturall right to instruct others in things that are good: and he may teach the Gospell truths also; but cannot compell any to believe them, only he may explaine them, and to this (says he) every man has a right, as in his 4 Sent: Dist. 5. yu. 1. Arl. 10. Pag. 115.7.

17. Strifes about Religion said Indictous and learned Grotius, are the most pernicious and destructive, where provision is not made for Dissenters: the contrary most happy; As in Musicouy he further says upon the occasion of Campanella that not a ri-

gidbut essy Government suits lest with the Northren people; he often pleads the relaxation of temporary Laws to be resonable and necessary. As in case of the Curatu and Horatu, and Rebins Vitulanus; and others stincted to time and place, as the Jewish Laws &c. Palit Maxims D. 12. 18. 78. 98.

Magistrates to governe well and gain the esteeme of their People, is to Governe by Piety, Justice, Wisdom, and a Gentle and moderate Carriage towards them: and that disturbance attends those States, where men are raized or depressed by Parties; See his observations, and maximes of State.

their Seperated ways of worthip In London, if not in other parts of these Lands without molestation; we do the like

in remote Countrys, but not in our own.

to his inquisitive Audients, in their judicious dialogue about the fundamentall Laws of the Kingdoms, when he says, that such Laws as have not their foundation in Nature, Judice and Reason, are void to sa factor. And neither Persecution or restraint upon Conscience be congruous with either, let the Imparti-

all judgd .. lib. 1. chap. 6.

English Church was so far from urging the Legality of restriction in matters relating to Conscience, that he writ, argu'd and left upon his dying bed his sense to the Contrary; As the Author of his life might have been pleas'd to observe, but that Interest stood in the way; the Dostor exhorting his Party not to seek to displace those then in the Vaiversity; or to Persecute them for any matter of Religious difference.

Churchdid the same, I mean D: ler: Taylor, his whole discourse of liberty of Prophesy, is a most pregnant demonstration.

23. It was the faying of a Person once, too great to be Nam'd

(29)

Nam'd Now. That liberty of Conscience is every mans Natural Right, and be who is deprived of it, is a Slave in the midst of the greatest Liberty: And since every man should do as he would be done to, such only dont deserve to have it, that wont give It.

of more force) the sense of King lames, and Charles the first, Men sam'd for their great naturall abilities, and acquir'd Learning; that no man ought to be punished for his Religion nor disturb'd for his Conscience; In that it is the duty of every man to give what he would Receive. And in the last Kings advice to the Present King, he sayes. Take heed of aberting any factions; your Partiall adhearing to ANT ONE SIDE gains you not so great advantages in some mens hearts (who are prone to be of their Kings Religion) as it loseth you in others, who think themselves & their protession first dispis'd, then persecuted by you.

Again, beware of exasperating any Factions by the Crosness, and asperitie of some mens Passions, humours, or private opinions imployed by you, grounded only upon their difference in lesser matters, which are but the skirts and Suburbs of religion.

wherein a Charitable connivence and Christian toleration often

distipates their strength whom rougher opposition fortifies; and puts the despised and appressed partie, into such combinations

c as may most enable them to get Afull revenge on those they count their Persecutors, who are commonly assisted by that vulgar

· Commiseration, which attends all that are said to suffer under the

notion of Religion.

Alwayes keep up SOLID PIETT and those fundamentall Truths (which mends both hearts and lives of men) with Impartiall favour and Justice. Your Prerogative is best shown and exercised in remitting, rather then exacting the rigour of the Laws; there being nothing worse than

Legall Tyranny.

Polis Gript

F

Now

Now upon the whole, we Ask, what can be more equall, what more reasonable then Liberty of Constience; so Corrispondent with the Reverence due to God, & Respect to the Nature, Practice, Promotion and Rewards of the Christian Religion; the sense of divine writt; the Great Priviledge of Nature and Noble Principle of Reason; The Justice, Prudence and selicity of Government; And lastly, to the judgement and Authority of a whole Cloud, of Famous writnesses, whose Haimony In Opinion, as much detects the unreasonableness, and Incharety of Persecutors, as their Savage Crueleyes imply an high Contempt of so sollid determinations.

In short, what Religious, what Wise, what Prudent, what Good-natur'd Person would be a Persecutor? Certainly it's an Office only sit for those, who being wide of all Reason, to evidence the Verity of their own Religion, fancy it to be true, from that strong Propensery and Greedy inclination they sinds in themselves to Persecute the Contrary; A Weakness of to ill A Consequence to all Civill societys, that the admission of it ever was, and ever will prove their vtter Ruine; as well as Their Great Intelicity who pursue it. And though we could not more effectually express our Revenge, then by leaveing such Persons to the scope of their own humors; Yet being taught to Love and Pray for our very Persecuters, we heartely wish their better Information, that they may Act more suitably to the good pleasure of the Eternall Just God, and beneficially to these Nations.

But if this short discourse should not be Credited, nor Anfwered in all its sober Reasons and Requests, Time and the Event will vindicate it from untruth; and in the mean white, twill be my great satisfaction, that I have borne my honest testimony, not out of Season, either to the King or to my

Country.

causewerakerhe Act to me

Law concludes no man guitaira allo Perces, but from the dorection of some sault, we after our selves a together un-

A few brief Observitions upon the late ASI D' 1110000

That which we have to fay, relates, either to the visionity of the Aff, or the application of them to us. Ith Min

As to the rearms of the Act, they are thefe. Seditions Conventicles, Seditions Sedwies; and Meeting under colour or pretence of Religion. Peo 1. 1. 10181 . bold of or

1. CEditious from Sedition, imports as much as tembelent, contentious, factious which lowes Strife and debate of baze

ards the civil peace of the Government.

2. Conventicle is a diminutive privat affembly, defioning and generall, (see Lamb. p. 173. 177. Its Tevrallians Sonse 1513 an Affembly of immodest and unclean Persons an least it was 19 taken in those daies, and objected against the Christians as

their practife, whom he defends, Tex Apoko suominiti suon

3. Sectarics , must be such as diffinite or diffmembers themselves, from the body of Truth , and confession if the sugar and white up opinion is If any subject of this Kealm being 16 years of age or upwards Sallie , prefent at any a Rembly, Conventicle or meeting under volom an prem tence of Religion Sec. which can fignify no more then thus much, that true it is forme may meet and a femble to worship God and woon a religious account that are diffenters, Tuch weren fure not of but those who under colour or pretence of any exercise of Religion COM fpire &cc they are to be suspected and Profeoured . This being the true explanation of the rearms of the Adis we proceed to show how unreasonably they are applyed to us

Words are but fo many intelligible Marks, and Characters sett to inform us of each others conceptions: Now beLaw concludes no man guilty upon conjectures, but from the detection of some fault, we affirm our selves altogether unconcern'd in that word Seditions, because 'twas never our practise in words, or actions to disturb the Government; or suggest principles that might hatch Conspiracies, or feed the vulgar with disaffection to their Rulers; but before the Kings coming in, at his coming in, and ever since; notwithstanding our frequent suffering we have made it our business to beate Animastities, Preach forgiveness and Charity amongst men, and that they would by an hearty repentance turn to God, rather then hunt after revenge upon one mothers therefore we affert we have not done one thing that may be prou'd Seditions in the sense above men-tion'd.

That we are strangers to Conventicles is most evident, for where the parts that render it such, are wanting, there can be no Conventicle but that they are in our Assemblies, appears.

T. Bevasse our Meetings are not small; 2. Neither are they private or Clandestine; but in the view of all People. 3. Nor are they riotous, liscentious, or otherwise immodest, or immorall; but our purpose to diswade persons from such impieties; so that we are clear in the Interpretation of the Law. 13. H. 5. rep. 8. 19. and 19. H. 7. sap. 13. and in the sense of the sa-

3. Sellaries, is a word, that whoever has but confidence enough to conceit himself in the Right, by consequence wants none to suppose the contrary in the wrong, and call him a sellar), but this is but a begging of the Question; For to say those site sellaries do's not conclud them such, nor dos the Act speake so plainly of dissenters; but granting it did, yet they must be sellarious Ones, or else all will be in vain; where we may observe, that purely so be a Sellary, is not what the Act strikes att, but to be a Sellary, is not what the Act strikes att, but to be a Sellary, is not what the Act strikes att, but to be a Sellary, is not what the Act strikes att, but to be a Sellary, is not what the Act strikes att, but to be a Sellary, is not what the Act strikes att, but to be a Sellary, is not what the Act strikes att, but to be a Sellary, is not what the Act strikes att, but to be a Sellary, is not what the Act strikes att, but to be a Sellary, it is not what the Act strikes att, but to be a Sellary, is not what the Act strikes att, but to be a Sellary, is not what the Act strikes att, but to be a Sellary, is not what the Act strikes att, but to be a Sellary, is not what the Act strikes att, but to be a Sellary, is not what the Act strikes att, but to be a Sellary, is not what the Act strikes att.

gion, and yet corrisponds with the Covernment. O that the Act upon the whole, aims not at Sellaries simply, but they must be such as are Enemies to the civil constitution to render Seditions Ones from which we have sufficiently learn'd our selues

4. That we meet under colour and pretence, and not really to worshipGod; we deny, and none can prove. Twere high incharity to affirm politively this or that people meete only under a colour of Religion, yet unless the Act had so express'd it felf, we conceive it lame and imperfect or rather their Authority that persecute us by it. It will help but little to say the King Lords and Commons by the following words in other manner then according to the Liturgy of the Chunch of England meant that fuch meet under a pretence that did not conform to that worship; since the precedent words say under colour or pretence of any exercise of Religion in other manner &c. So that they are only struckers who are not finceere diffenters but that are fuch with a diffigne to carry on an other end. Upon the whole, fince none can truly affirm that we meet only under a colour of Religion, & that the Act regards only fuch pretences; an other should be made that expressly enacts our meetings to be Sedicious, Sellarian or fuch as are fincere dissenters cannot legally be persecuted for their meetings. Penall Laws (hould be plain, and if confirm'd, it should be to the most candid fense for the offender.

In short we say, and by it let our Intentions In our whole discourse be measur'd that we do not define any differences, whose quarrell or difference is rather Civill & Pollitticall, then Religious and Concientious; for both we really think such wn worthy of Protection from the Government, who seek the ruin of it; and that such as are Contributorys to the preservation of it (though differences in point of Faith) are vnquestionably Intituled to a Protection from It

must be such as are Enemies to the civils configuit on to remi-

stellers

The memory and note that prover and not really to many pages, we done, and not really to many pages, we done, and none can prove. Twelve high inchange to aftern politively this or that people meete only under a coloured Religion, yet unless the Act had to express definition of the Reader and the real pages of the memory of the real and Commons by the following weres income the reason of the real and Commons by the following were into the reason or then according to the Liteury of the reason.

England means that fuch tiges under a pretence that did noc

The errors of the Press are so numerous, that to make an Errota, were almost to double the paper, which would be the greatest; and to offer one with halfe the mistakes, would be too just a reason to charge, th'other half, upon the half Correcter. In short, the Author expects the Common Civility of accepting the Common excuse, yet a true one, (viz) the Printers overlight, And the Authors great distance from the Press. The discours was conceived with the Act, & should have been brought forth with it too, but that so many Impediments attended the birth; Thus much in desence of the

In those we say, and by it lies our lorentlons in orgodusAc discourse be measured that we do not define any distincts, whose quarrell of distinct is rather Cwill & Politetically, then Religious and Concientious; for both we really think such an worthy of ProteS ion from the Government, who seek the ruin of it sand that such as are Contributorys to the preference of it shough distinction of it shough distinction of it shough distinction of the same contributor of the course of the course

thionably incitated to a Protection from I: